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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

RAMONA BAND OF CAHUILLA,
CAHUILLA BAND OF INDIANS,
Plaintiff-Intervenors,

vs.

FALLBROOK PUBLIC UTILITY DISTRICT,
et al.,
Defendants.

CIVIL NO.: 51-CV-1247-GPC-RBB

JOINT MOTION TO EXTEND STAY

Date: No hearing date set
Time:
Dept: 9

Hon. Gonzalo P. Curiel

ORAL ARGUMENT NOT REQUIRED

1 Plaintiff-Intervenors Ramona Band of Cahuilla and Cahuilla Band of Indians (Tribes)
2 respectfully move this Court for a 90-day extension of the stay of litigation until April 19, 2016.
3 Under this Court's Order of October 26, 2015, (Doc. 5496), the current stay expires on January
4 19, 2016. Counsel for the Tribes are authorized to state that the United States, State of
5 California, County of Riverside, Riverside County Flood Control and Water Conservation
6 District, the Greenwald Landowners, Hemet Unified School District, Agri-Empire, and the Anza
7 Basin Landowners Group do not oppose the Tribes' request to extend the stay for an additional
8 90 days. In addition, Magistrate Judge Brooks indicated he supports the Tribes' request to
9 extend the stay. An extension of the stay will allow the parties to continue their progress toward
10 a negotiated settlement of the Tribes' water rights claims.

11 During the last 90-day stay period, the settlement parties made substantial progress
12 toward a negotiated resolution of the Tribes' claims that also addresses the concerns and interests
13 of the other settlement parties. The parties directed their efforts to discussing the scope of the
14 Watermaster's responsibilities and the budget for that office with respect to administering the
15 Final Decree. The settlement parties' technical consultants are currently discussing the
16 Watermaster's responsibilities and working on a revised budget. Although the settlement parties
17 and their consultants are working diligently to resolve these issues, resolving them will take
18 additional time and effort.

19 Since the last status report, the parties discussed outstanding issues at either in-person or
20 telephonic meetings on the following dates:

21	October 14:	Telephonic meeting among Judge Brooks, the Cahuilla Tribe, the
22		Federal Team and Agri-Empire to discuss status of negotiations;
23	October 19:	In-person meeting among the Watermaster and the settlement
24		parties to discuss the Watermaster's revised budget;
25	October 20:	In-person meeting among the County, the Tribes and the
26		Represented Landowners Group to discuss the County's role in the
27		settlement;
28		

1 November 9: The settlement parties lodged the draft settlement agreement with
2 Judge Brooks' chambers;
3 November 10: Telephonic meeting among Judge Brooks and all settlement parties
4 in which Judge Brooks went through the draft settlement
5 agreement page-by-page pointing out various issues or concerns;
6 November 17: Telephonic meetings among the settlement parties to discuss Judge
7 Brooks' concerns and the Watermaster's duties and costs;
8 November 30: Telephonic meeting among Judge Brooks, the Cahuilla Tribe, the
9 Federal Team and Agri-Empire to discuss status of negotiations;
10 December 7: Telephonic meeting among the settlement parties to continue
11 discussing the Watermaster's duties and costs;
12 January 8, 2016: Telephonic meeting among Judge Brooks, the Cahuilla Tribe, the
13 Federal Team and Agri-Empire to discuss status of negotiations
14 and
15 January 15, 2016: Telephonic meeting among Judge Brooks and all settlement parties
16 to discuss progress of settlement discussions. The parties
17 scheduled additional meetings and deadlines for submitting the
18 revised draft settlement agreement and the Watermaster's rules and
19 regulations to Judge Brooks for his review.
20

21 In addition, the parties scheduled an in-person meeting on February 18, 2016 to discuss
22 the scope of the Watermaster's responsibilities and budget and any other remaining outstanding
23 issues with respect to the settlement.

24 The parties are committed to continuing these settlement discussions. A 90-day
25 extension of the stay will permit the parties to continue their settlement efforts without the cost
26 or distraction of litigation.

27 For these reasons, the Tribes respectfully request that the stay of litigation be extended to
28 April 19, 2016.

1 Date: January 15, 2016.

Respectfully submitted,

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